

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

OLGA SALAZAR as Personal Representative
of the Estate of Jesus Marquez,

Plaintiff,

v.

CIV15-0417 KBM/WPL

SAN JUAN COUNTY DETENTION CENTER, et al.,

Defendants.

ORDER REQUESTING REASSIGNMENT

THIS MATTER is before the Court *sua sponte*. A motion to consolidate was filed in *Berkey, et al. v. San Juan County Detention Center, et al.*, CIV 15-0439 JCH/SCY on July 15, 2015. That motion sought consolidation of 4 lawsuits: (1) the *Berkley* action, (2) *Carter v. San Juan County Detention Center, et al.*, CIV 15-0497 BRB/SCY, (3) *Jones v. San Juan County Detention Center, et al.*, CIV 15-0526 MV/KK, and (4) this action now pending before me as to which I would serve as presiding judge if the parties consent to me serving as presiding in that capacity. The Honorable Judith C. Herrera denied that motion as moot because no motions to consolidate had been filed in the other cases. *Doc. 69* in CIV 15-0439. Since that time, Plaintiffs in both the *Carter* and *Jones* cases have filed a motion to consolidate that action with the *Berkey* lawsuit. See *Doc. 27* in CIV 15-0497 and *Doc. 36* in CIV 15-0526.

Although no such motion to consolidate has been filed the above-captioned case assigned to me, it seems reasonable to anticipate that such a motion may be forthcoming. Given that the general practice in this District is to consolidate cases into the lowest numbered (first such action filed), it seems the better course to have this case reassigned to a district judge at this juncture.

Wherefore,

IT IS HEREBY ORDERED that the Clerk reassign the above-captioned case to a district judge.


UNITED STATES CHIEF MAGISTRATE JUDGE